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9 UNITED STATES BANKRUPTCY COURT
10 EASTERN DISTRICT OF CALIFORNIA

11 In re:

12 A.L.L. GROUPS, INC.,

13 Debtor.

CASE NO. 15-21850-A-7

D.C. NO. BHS-2

**MOTION FOR SALE OF
ESTATE'S INTEREST IN A
TYPE 21 OFF-SALE GENERAL
LIQUOR LICENSE IN
SACRAMENTO COUNTY**

14 DATE: June 1, 2015
15 TIME: 10:00 a.m.
16 DEPT: A; COURTROOM 28
17 Hon. Michael S. McManus

18 Geoffrey Richards, duly appointed Chapter 7 Trustee (hereafter the "Trustee") in the
19 above-captioned matter, through his counsel, Barry H. Spitzer, moves this Court for
20 authority to sell the estate's interest in a type 21 off-sale general liquor license in
21 Sacramento County, California, license number 530484 ("Liquor License") pursuant to the
22 provisions of 11 U.S.C. section 363(b) of the Bankruptcy Code "as-is" and "where-is." A
23 copy of the Sale Agreement is Exhibit "A" and the California Department of Alcoholic
24 Beverage Control License Query is Exhibit "B." In support of his Motion, the Trustee states
25 the following:

26 1. That this Chapter 7 case was commenced on March 9, 2015 and the Trustee
27 was appointed that day.

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1 2. That the Debtor listed the Liquor License on it's petition and it is now property
2 of the estate.

3 3. The Trustee wishes to sell the estate's interest in the Liquor License "as-is"
4 and "where-is" to Cirkadyne, Inc. or Nominee for a total of \$13,500.00 plus any and all
5 transfer and escrow fees; and costs to clear the sale (the "Purchase Amount"). At this
6 time, the Trustee is not aware of any tax liens against the liquor license, however any lien
7 against the liquor license will be the responsibility of the Estate. The Trustee believes it
8 is in the best interest of the estate to sell the estate's interest in the Liquor License "as-is"
9 and "where-is." to Cirkadyne, Inc. or Nominee for the Purchase Amount. The estate has
10 received a \$1,500.00 deposit from Cirkadyne, Inc., which shall become non-refundable if
11 it is the winning bidder. Further, Cirkadyne, Inc. has paid \$582.00 to renew the liquor
12 license, which needed to be renewed on or before April 30, 2015.

13 4. The Trustee requests that the Court only approve overbids presented at the
14 hearing that meet the following criteria:

15 (a) Overbidding shall start at \$14,282.00, with the overbids in minimum
16 \$200.00 increments (\$13,500.00 + \$200.00 + \$582.00). The successful bidder will be
17 required to sign a Sale Agreement with the same terms as Exhibit "A" to the Motion to Sell
18 and must use an escrow company specializing in the transfer of Liquor Licences at the
19 Buyer's expense.

20 (b) To qualify as a bidder, the bidder must bring to the Court (or if
21 appearing via telephone, deliver to the Trustee or his attorney prior to the hearing) a
22 Cashier's Check or a certified check for \$14,282.00. This Cashier's or certified check shall
23 serve as a non-refundable deposit if the overbid is successful.


24 (c) The successful overbidder must deliver to the Trustee a Cashier's or
25 certified check for the overbid amount within 48 hours of Court approval of the sale.

26 5. The Trustee seeks authority to execute any and all additional conveyances,
27 assignments, schedules and other documents as may be necessary to consummate this
28 sale.

3 WHEREFORE, Geoffrey Richards respectfully requests that he be authorized to sell
4 the estate's interest in a type 21 off-sale general liquor license in Sacramento County,
5 California, license number 530484 as described in the Sale Agreement "as-is" and "where-
6 is" to Cirgadyne, Inc. or Nominee for \$13,500.00 plus any and all transfer and escrow fees;
7 and costs to clear the sale pursuant to the provisions of section 363(b) of the Bankruptcy
8 Code; and authority to execute any and all additional conveyances, assignments,
9 schedules and other documents as may be necessary to consummate this sale. At this
10 time, the Trustee is not aware of any tax liens against the liquor license. The Trustee
11 seeks specific authority to pay tax liens if any should arise, through escrow. The Trustee
12 further seeks a waiver of the fourteen day waiting period imposed by Federal Rule of
13 Bankruptcy Procedure, Rule 6004(h).

15 DATED: May 1, 2015

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By: 
BARRY H. SPITZER
Attorneys for Geoffrey Richards,
Chapter 7 Trustee

VERIFICATION

I, Geoffrey Richards, hereby declare:

1. I am the duly appointed Trustee in the above-entitled Estate.

2. I have personal knowledge of the facts stated herein and if called as a witness, I could and would testify competently thereto.

3. I believe it is in the best interest of the estate to sell the estate's interest in a type 21 off-sale general liquor license in Sacramento County, California, license number 530484 as described in the Sale Agreement "as-is" and "where-is" to Cirgadyne, Inc. or Nominee for \$13,500.00 plus any and all transfer and escrow fees; and costs to clear the sale. At this time, I am not aware of any tax liens against the liquor license, however any lien against the liquor license will be the responsibility of the Estate. The proposed purchase price is the highest value the property will bring the estate. The sale will allow for the orderly liquidation of the estate.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this Declaration is executed on MAY 1, 2015 at Orinda, California.


Geoffrey Richards, Trustee